



U.S. Department of Justice

Antitrust Division

New York Office

26 Federal Plaza 212/335-8000
Room 3630 New York, New York 10278-0004
New York, New York 10278-0004 FAX 212/335-8023

February 24, 2020

VIA ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, No. 13-cv-7789 (LGS); *NYPL, et al. v. JPMorgan Chase & Co., et al.*, 15-cv-9300 (LGS); *Contant, et al. v. Bank of America Corporation, et al.*, No. 17-cv-3139 (LGS); *Allianz, et al. v. Bank of America Corporation, et al.*, No. 18-cv-10364 (LGS)

Dear Judge Schofield:

Pursuant to the Court’s December 4, 2019 Order (13-cv-7789, Dkt. No. 1373), the United States Department of Justice, through the Antitrust Division and the Fraud Section of the Criminal Division (“the Department”), submits this letter regarding the discovery stay in the above foreign-exchange related matters. The Department similarly submitted a letter on January 10, 2020 (13-cv-7789, Dkt. No. 1376).

The Department requests that the stay remain in place with respect to particular individuals associated with the case *United States v. Akshay Aiyer*, 18-cr-333 (JGK).¹ Specifically, the Department requests that the stay remain in place with respect to Jason Katz, Christopher Cummins, and Nicholas Williams until Defendant Aiyer, Mr. Katz, and Mr. Cummins are sentenced. Their sentencing are scheduled for April 2020.

Plaintiffs in the *In re Foreign Exchange* case (13-cv-7789), the *Allianz* case (18-cv-10364), and the *Nypl* case (18-cv-10364) consent to the Department’s request. Plaintiffs in the *Contant* case (17-cv-3139) take no position. All Defendants consent to the request except for Credit Suisse, which takes no position.

¹ Previously, the stay was also in place with respect to Frank Cahill and Serge Sarramegna, individuals associated with *United States v. Johnson*, 18-1503-cr. The Second Circuit has denied defendant Johnson’s petition for rehearing en banc, and the Department does not oppose lifting the stay as to those individuals.

Respectfully submitted,

JOSEPH MUOIO
Acting Chief, New York Office
Antitrust Division

By: /s/ Katherine Calle
Katherine Calle, Trial Attorney
Antitrust Division, New York Office
26 Federal Plaza
New York, NY 10278
(212) 335-8000
Katherine.calle@usdoj.gov

cc: All counsel (via ECF)